

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DANIEL JOSEPH MILLER, III : CIVIL ACTION

V. : NO. 02-5141

PHILADELPHIA POLICE DEPARTMENT, :
ET AL.

O R D E R

AND NOW, this 17th day of January, 2003, the plaintiff having filed his complaint on July 23, 2002, and the plaintiff not having identified or served the defendant, Dr. John Doe, in accordance with the provisions of Rule 4(m), the complaint is **DISMISSED** as to the defendant Dr. John Doe **ONLY** for failure to make service of the summons and complaint within 120 days after the filing of the complaint.

William H. Yohn, Jr., Judge